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January 18, 2023

Sent via Electronic Filing only

Honorable Robert B. Kugler
United States District Court, District of New Jersey
Mitchell H. Cohen Building and United States Courthouse
4th and Cooper Streets, Room 1050
Camden, NJ 08101

Re: Lento, et al. v. Altman, et al.
Case No. 1:22-cv-04840

Dear Judge Kugler,

On today's date, Plaintiffs filed a letter request for a sur reply. (ECF No. 36 PageId.570). Defendants respectfully object to this request. Plaintiffs failed to meet and confer. Additionally, this Circuit has ruled on the precedent and requirements of requesting a sur reply. Plaintiffs did not explain in particular what statements needed to be addressed in Plaintiffs' sur-reply or why. *See Popovitch & Popovitch, LLC v. Evanston Ins. Co.*, No. 07-2225, 2009 U.S. Dist. LEXIS 72803, 2009 WL 2568090, at *5 (D.N.J. Aug. 17, 2009). Plaintiffs did not include a brief with their motion in support of filing the sur-reply (or statement that no brief is necessary). *See Smith v. Trusted Universal Standards In Electronic Transactions, Inc.*, No. 09-4567, 2010 U.S. Dist. LEXIS 43360, 2010 WL 1799456, at *2 (D.N.J. May 4, 2010). Since Plaintiffs failed to provide the Court with the particular reasons why a sur-reply was needed, Plaintiffs' letter request should be denied. *Kleinberg v. Clements*, Civil Action No. 09-4924 (NLH), 2012 U.S. Dist. LEXIS 40590, at *32-33 (D.N.J. Mar. 23, 2012).

Respectfully,

/s/ Solomon M. Radner

Solomon M. Radner